

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOHN D. HAYWOOD,

Plaintiff,

vs.

JOHN DOE #1, *et al.*,

Defendants.

Case No. 20-cv-1238-NJR

**MEMORANDUM AND ORDER**

**ROSENSTENGEL, Chief Judge:**

This matter is before the Court on the suggestion of death filed by Plaintiff John D. Haywood's Court appointed counsel in *Haywood v. Shef, et al.*, Case No. 18-cv-527-GCS (Doc. 82). This civil rights case was filed by Haywood on November 16, 2020 (Doc. 1). A merits review has not yet been conducted. *See* 28 U.S.C. § 1915A. After Haywood's initial filings, the Court has received no further communication from Haywood.

The suggestion of death in Case No. 18-cv-527-GCS suggests that Haywood passed away on March 28, 2021. Pursuant to Federal Rule of Civil Procedure 25(a), Haywood's successor(s) or representative(s) may file a motion for substitution no later than 90 days within service of this Order. If Haywood's successor(s) or representative(s) do not file such a motion, this matter shall be dismissed, and no further filing fee shall be collected.

The Court **DIRECTS** the Clerk of Court to mail a copy of this Order to "Next of Kin of John D. Haywood" at Haywood's last known address.

Haywood's motion for leave to file late complaint (Doc. 2) and motion for counsel (Doc. 4) are **DENIED as moot.**

**IT IS SO ORDERED.**

**DATED: 4/2/2021**

*s/ Nancy J. Rosenstengel*  
**NANCY J. ROSENSTENGEL**  
**Chief U.S. District Judge**